

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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SO. DIST. OF GA.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

JOHN RANDALL FUTCH,
Plaintiff,

vs.

Case No. 4:05-CV-163

JAMES L. COURSEY, JR.,
RUSSELL SMITH, and GERALD
SISCO,
Defendants.

O R D E R

Before the Court is Magistrate Judge Smith's September 21, 2005 Report and Recommendation to which no objections have been filed. (Doc. 5.) The Magistrate recommends that Plaintiff's motion for voluntary dismissal of this action be granted. After a careful de novo review of the record in this case, the Court agrees. Accordingly, the Report and Recommendation is adopted as the opinion of the Court, and this case is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 8th day of December, 2005.

[Signature]
WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA